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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/127,167	07/29/1998	STEPHEN A. BURDEAU	TN112	9794

7590 05/23/2002

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EXAMINER

ZHEN, LI B

ART UNIT

PAPER NUMBER

2151

DATE MAILED: 05/23/2002

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No.	Applicant(s)
	09/127,167	BURDEAU, STEPHEN A.
Examiner	Art Unit	
Li B. Zhen	2151	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

1)  Responsive to communication(s) filed on 7-28-1999

2a)  This action is FINAL. 2b)  This action is non-final.

3)  Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

4)  Claim(s) \_\_\_\_\_ is/are pending in the application.

4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.

5)  Claim(s) \_\_\_\_\_ is/are allowed.

6)  Claim(s) 1-11 is/are rejected.

7)  Claim(s) \_\_\_\_\_ is/are objected to.

8)  Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

9)  The specification is objected to by the Examiner.

10)  The drawing(s) filed on \_\_\_\_\_ is/are: a)  accepted or b)  objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

11)  The proposed drawing correction filed on \_\_\_\_\_ is: a)  approved b)  disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.

12)  The oath or declaration is objected to by the Examiner.

**Priority under 35 U.S.C. §§ 119 and 120**

13)  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)  All b)  Some \* c)  None of:

1.  Certified copies of the priority documents have been received.

2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.

3.  Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

14)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).

a)  The translation of the foreign language provisional application has been received.

15)  Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

**Attachment(s)**

1)  Notice of References Cited (PTO-892)

4)  Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_.

2)  Notice of Draftsperson's Patent Drawing Review (PTO-948)

5)  Notice of Informal Patent Application (PTO-152)

3)  Information Disclosure Statement(s) (PTO-1449) Paper No(s) 3-4.

6)  Other: \_\_\_\_\_

## DETAILED ACTION

### ***Claim Rejections - 35 USC § 103***

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 1, 5, 8, and 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicolet U.S. Patent No. 5,671,414 in view of Devarakonda Publication No. 2001/0052024A1.

As to claim 8, Nicolet teaches (column 3, lines 52 – 67; column 3, lines 5 – 10) communicating administrative calls from a remote computer that includes a server program (NetWare environment) intercepting an administrative request (remote procedure calls) and routing the administrative request to the designated master node (server operating system). However, Nicolet does not teach determining if the originating node is the designated master node and is capable of processing the request.

However, Devarakonda teaches (paragraph [0017] and [0038]) determining a node that can process a request base on affinity information. Devarakonda further teaches that the affinity information could be base on the fact that a client may have affinity with a node of a cluster (master node).

It would have been obvious to apply determining a node capable of processing a request as taught by Devarakonda to the invention of Nicolet because it would assure that the destination node is capable of handling the request.

As to claim 9, Nicolet as modified teaches (paragraph [0017] and [0038]) determining if the originating node is the designated master node and capable of handling the request.

As to claim 1, this is a method claim that is a combination of system claims 8 and 9; note the rejections of claims 8 and 9 above, which also meets this method claim.

As to claim 5, this is an apparatus claim that is a combination of system claims 8 and 9; note the rejections of claims 8 and 9 above, which also meets this apparatus claim.

3. Claims 2, 3, 6, 7, 10, and 11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Nicolet and Devarakonda further in view of Bendert U.S. Patent No. 6,275,867.

As to claims 2, 3, 6, 7, 10, and 11, Nicolet teaches (column 3, lines 50 – 67; column 4, lines 55 – 67 of Nicolet) the originating node (NetWare environment) sending a request to the master node (server operating system) and receiving a reply from the master node. Nicolet does not teach communications between the two nodes via a named pipe.

However, Bendert (column 2, lines 15 – 30) teaches facilitating communication in a distributed processing system through the use of named pipes.

It would have been obvious to apply the use of named pipes to facilitate communications between two nodes as taught by Bendert to the invention of Nicolet because named pipes can support more flexible communication and greater distance between nodes (column 2, lines 25 – 30 of Bendert).

4. Claim 4 is rejected under 35 U.S.C. 103(a) as being unpatentable over Nicolet and Devarakonda further in view of Lam U.S. Patent No. 5,926,636.

As to claim 4, Nicolet teaches (column 4, lines 55 – 67) processing the request. However, Nicolet does not teach calling an administrative API.

However, Lam teaches (column 3, lines 45 – 55) an administration application programming interface (API).

It would have been obvious to apply the use of administrative API as taught by Lam to the invention of Nicolet because the administrative API can ensure the authentication and access rights of remote nodes that issue the request.

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Li B. Zhen whose telephone number is (703) 305-3406. The examiner can normally be reached on Mon - Fri, 8am - 4:30pm.

The fax phone numbers for the organization where this application or proceeding is assigned are (703) 746-7239 for regular communications and (703) 746-7238 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Li B. Zhen  
Examiner  
Art Unit 2151

Ibz  
May 17, 2002



ST. JOHN COURTEMAY III  
PRIMARY EXAMINER